

Exhibit 3

From: Zeke DeRose III <Zeke.DeRose@LanierLawFirm.com>
Sent: Sunday, April 28, 2024 4:33 PM
To: Yetter, Paul; MCCALLUM, Robert; SESSIONS, Justina (JKS); MAHR, Eric (EJM); Bracewell, Mollie
Cc: Mark Lanier; Ashley Keller; Alex J. Brown; Marc B. Collier; John McBride; Geraldine W. Young; Jonathan.Wilkerson; Moran, David; Nilsson, William (DAL)
Subject: Google AdTech: EDTX--Request for Google to Move Quituple/Sextuple Stacked Depos

[External Email – Use Caution]

Paul,

I understand that there are still some depositions to be scheduled by Google (chats, any missing topics, [REDACTED] and [REDACTED], and the two apex depositions of Brin and Pachai—that Google will likely seek relief on).

Just Friday night—Google emailed about 3 depositions it was setting for next Thursday or Friday. In the past few days Google has set a number of depositions for the end of the upcoming week. The end of the week for Google witness depositions (not including third party and States depositions) is now a bit ridiculous:

- As of today, for Google depositions there are: Wednesday (3), Thursday (5 or 6 with the Meta depo), and Friday (5 or 6). One of these was moved by Google late Friday night from Wednesday to Friday, and for some of these we still do not have locations or start times. **That's roughly 14 depositions in 3 days.**
- These 17 depositions set for the final week of fact discovery, with the majority being the last couple days, account for almost half of the allotted depositions.
- With the late depositions given by Google Friday night –it would bring the total potential depositions for May 3, 2024 to ***fourteen total depositions***: seven Rule 30(b)(1) and 30(b)(6) depositions of Google witnesses, four depositions of third-parties, and three depositions of the States. At least ***eight*** potential depositions may occur the day before on May 2, 2024, and at least ***seven*** potential depositions on May 1, 2024.

We plan to file a short supplement with the Court apprising the Court of developments since we filed our Motion on Friday. It will be filed under seal pursuant to Google's request that all deponent names be sealed.

Note too that the parties also have a Special Master hearing on Thursday of this week, when there are 5 to 6 depositions scheduled (not including states/third parties) with folks traveling and out of the country.

We understand Google's wholesale objection to any of the outstanding depositions taking place after May 3. And we know that the Plaintiff States have asked the Court to give an additional 3 weeks to take the outstanding and yet to be scheduled depositions.

Regardless of the various positions with how we got to here, we have now double-booked attorneys between these Google depositions set next week (plus any state/third party depositions, and the depositions in London). (As you know these are technical depositions and the parties, out of necessity, have been staffing them with on average 2 attorneys per deposition, respectively.)

Nevertheless, these depositions are double booked at best. That is, the attorneys that have prepared and are most familiar with a given deposition/topics are set to now be in two places at once or traveling.

We have been doing everything to make the dates Google provides work—even when the dates are given with 48 hours-notice.

We believe we can juggle and make 12 of these 17 depositions work (including the 2 Meta depositions), plus the other state and third-party depositions.

We do though request, out of professional courtesy, that [REDACTED] (Google emailed date late Friday night), [REDACTED] (Google emailed date Friday late night), Mohan (Google designated on Wed and Special Master granted 30(b)(1) testimony on Thursday evening), [REDACTED] (moved to 5/2 or 5/3 on late Friday night), and [REDACTED] (Google emailed date Thursday night) be set the following week or when convenient.

Thank you,

Zeke



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